

064162-0032

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)
10/509,513

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER
INTERNATIONAL APPLICATION NO <u>PCT/AU03/00381</u>	INTERNATIONAL FILING DATE March 28, 2003	PRIORITY DATE CLAIMED March 28, 2002
TITLE OF INVENTION A COMPOSITION AND METHOD FOR KILLING OF TUMORS		
APPLICANTS FOR DO/EO/US Gerald W. BOTH, Trevor J. LOCKETT, Peter L. MOLLOY, Fiona H. CAMERON, Pamela J. RUSSELL, Rosetta MARTINIELLO-WILKS, Minoo J. MOGHADDAM, and Ian K. SMITH		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.	
2.	<input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.	
4.	<input type="checkbox"/> The US has been elected (Article 31).	
5.	<input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)	
6.	<input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).	
7.	<input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.	
8.	<input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
9.	<input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
10.	<input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).	
Items 11. to 16. below concern other document(s) or information included:		
11.	<input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
12.	<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/> A preliminary amendment.	
14.	<input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.	
15.	<input type="checkbox"/> A substitute specification.	
16.	<input type="checkbox"/> A power of attorney and/or change of address letter.	
17.	<input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.	
18.	<input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).	
19.	<input type="checkbox"/> A second copy of the English translation of the International Application under 35 U.S.C. 154(d)(4).	
20.	<input checked="" type="checkbox"/> Other items or information 1) Paper copy of Sequence Listing 2) Copy of Preliminary Amendment filed September 28, 2004* 3) Date-Stamped Postcard of Preliminary Amendment filed September 28, 2004* 4) Petition for Two-Month Extension of Time	

*Please note that no additional claims fees are due at this time. A Preliminary Amendment was filed with the application on September 28, 2004 where the claims were amended to delete the multiple dependent claims to avoid the additional multiple dependent claims fee.

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 10/509,513		INTERNATIONAL APPLICATION NO. PCT/AU03/00381		ATTORNEY'S DOCKET NUMBER 064162-0032	
\$				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input type="checkbox"/> Basic National Stage Fee				\$300	\$0
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200					
23. <input type="checkbox"/> Search Fee (37CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500					
TOTAL OF 21, 22 and 23 =				\$0	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	RATE		
-100	/50=		X\$250	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims		0-20 =	0	x \$50.00	\$0
Independent Claims		0-3 =	0	x \$200.00	\$0
Multiple dependent claim(s) (if applicable)				+ \$360.00	\$0
TOTAL OF ABOVE CALCULATIONS =				\$0	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$0	
				SUBTOTAL =	\$0
Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0	
				TOTAL NATIONAL FEE =	\$0
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$40.00	
				TOTAL FEES ENCLOSED =	\$40.00
				Amount to be refunded	\$0
				Amount to be charged	\$40.00
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. <u>500417</u> in the amount of <u>\$40.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer Number 20277 Telephone: 202.756.8000 Facsimile: 202.756.8087			 October 24, 2005 SIGNATURE Judith L. Toffenetti NAME 39,048 REGISTRATION NUMBER		

BASED ON FORM PTO-1390 (Rev. 2-2005)

Applicant: Gerald W. BOTH et al.

Docket No. **64162-032**

Title: **A COMPOSITION AND METHOD FOR KILLING OF TUMOURS**

Date Sent: 9/28/2004 Hand Carried

Electronic

Fax

CIP

Cert. of Mailing

RCE

Prov

Letter submitting _____ pages of drawings

Req. for Approval of Drawing Amendments

Req. for Oral Hearing

Not of Appeal

Appeal Brief

Rule 312 Amendment/Letter

Req. for Acknowledgement of Cited Art

Issue Fee

Publication Fee

Req. for Certificate of Correction

Maintenance Fee for _____ years after grant

Fee Address Indication Form

Terminal Disclaimer

Petition to Commissioner

Status Inquiry

Other 1. International Search Report prepared by AU

2. Front page of Published International Application. 3. PCT/IPEA/408.

409.4/6. 4. PCT/IB/306 PCT Rule 92(b), 1 and Administrative Instructions.

Section 4(2)

Certified Copy of Priority Doc.

Claim for Convention Priority

Check for \$ 1-1080.00

Charge Deposit Acct. 50047\$ 1354.00

Atty. int. 3-144.00

JLT 5-130.00

Tigr. # 6740

Secy. or PL: Gveppumthara

Express Mail No. _____

Not yet assigned

Serial/Reg./Patent No. _____

Express Mail No. _____

New Patent App

Utility

Design

Cont.

Div.

PCT

RCE

Prov

Letter submitting _____ pages of drawings

Req. for Approval of Drawing Amendments

Req. for Oral Hearing

Not of Appeal

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409.4/6. 4. PCT/IB/306 PCT Rule 92(b), 1 and Administrative Instructions.

Section 4(2)

Pages of Specification

21

pages of Claims

4

pages of Abstract

12

pages of Formal Drawings

1

Large Entity

Declaration/Power of Attorney

Recordation of Assignment

Information Disclosure Statement

1

Form PTO 1449

7

copies of cited references

Preliminary Amendment

Response to Missing Parts Notice

Response to Notice to Correct App. Papers

Resp. to Notice to Correct App. Papers



COPY

CMS Descrip.: <u>1-1080.00</u>	<input checked="" type="checkbox"/> Charge Deposit Acct. 50047\$ <u>1354.00</u>	<input type="checkbox"/> Atty. int. <u>3-144.00</u>	<input type="checkbox"/> JLT <u>5-130.00</u>	<input type="checkbox"/> Tigr. # <u>6740</u>	<input type="checkbox"/> Secy. or PL: <u>Gveppumthara</u>
<p>THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.</p>					
<p>EARLY SERIAL NUMBER _____</p>					

BEST AVAILABLE COPY